

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS KATHMANDU 002319

SIPDIS

DEPT FOR SA/INS, PRM; LONDON FOR POL/GURNEY; NSC FOR MILLARD

E.O. 12958: N/A

TAGS: PREF CH NP

SUBJECT: RECENT DEVELOPMENTS ON TIBETAN REFUGEES

REF: A. (A) 01 KATHMANDU 1768

B. (B) 02 KATHMANDU 1659

¶1. Summary. On November 24, the Government of Nepal (GON) released nine Tibetans who had been in prison since 2001 after their fines were paid by a foreign benefactor. The group is expected to depart for India the evening of November 26. Separately, after repeated demarches to the Ministries of Home and Foreign Affairs, we have secured agreement by the GON to issue travel documents to 80 Tibetans who have qualified for U.S. immigrant visas. However, lack of transparency and bureaucratic obstacles continue to delay the issuance of the documents. End Summary.

NEPAL RELEASES NINE IMPRISONED TIBETANS

¶2. On November 24, Nepal's Department of Immigration cleared the charges faced by nine Tibetans who were imprisoned, along with two others, in 2001 on immigration violations (ref A). According to the Dalai Lama's representative in Nepal, Wangchuk Tsering, a foreign benefactor paid fines of NRs 1.7 million (roughly USD 23,000) to the Government of Nepal (GON) in order to obtain their release. There are no other Tibetans in prison in Nepal at this time. Of the original eleven Tibetans arrested in 2001, one was released for medical reasons and another mother and her baby were released in 2002 after a German benefactor paid their fines (ref B).

¶3. Tsering also reported that UNHCR has obtained exit permits from the GON for the group to travel to Dharamsala, India. He expects they will depart the evening of November 26 for the bus ride to New Delhi.

Nepal Issues Travel Documents to Tibetans for U.S. Immigration

¶4. After repeated demarches to the Ministry of Foreign Affairs and the Home Ministry, Post has finally obtained agreement from the GON that it will issue travel documents to 80 Tibetans who have qualified for immigrant visas to the United States. However, lack of transparency and problems with individual cases continue to plague the process. Although the Embassy has delivered 30 individual files to the Home Ministry for processing, none have received travel documents from the GON so far. Delay continues to separate families, some of them for years.

¶5. Because of the ambiguous legal status of Tibetans in Nepal, the decision to issue them travel documents had to come from the full Cabinet, with Prime Ministerial approval. Unfortunately, the Cabinet agreed to issue travel documents only to this particular group. Therefore, future immigrant visa cases involving Tibetans will also require Cabinet approval. Once we resolve these cases, Post will seek a more permanent and regularized solution to the Tibetan travel document problem.

MALINOWSKI